

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**LEGACY SEPARATORS, LLC**

**PLAINTIFF,**

**VS.**

**HALLIBURTON ENERGY SERVICES, INC.,  
HALLIBURTON GLOBAL DIT, INC., GLOBAL  
OILFIELD SERVICES, LLC, OILFIELD  
PRODUCTS SUPPLY CORPORATION, AND J.  
WAYNE RICHARDS,**

**DEFENDANTS.**

**Civil Action No. \_\_\_\_\_**

**JURY TRIAL DEMANDED**

---

**HALLIBURTON ENERGY SERVICES, INC.**

**COUNTERCLAIM-PLAINTIFF,**

**VS.**

**LEGACY SEPARATORS, LLC**

**COUNTERCLAIM-DEFENDANT.**

---

**NOTICE OF REMOVAL**

Defendants Halliburton Energy Services, Inc. ("Halliburton"), on its own behalf and as successor-in-interest to and on behalf of Global Oilfield Services, LLC and Oilfield Products Supply Corporation, and Halliburton Global DIT, Inc. (collectively, "Defendants") file this Notice of Removal pursuant to 28 U.S.C. §§ 1332, 1441, 1454, and 1446, and as grounds for removal states as follows:

1. Defendants are defendants in a civil suit filed in the District Court of Harris County, Texas, styled *Legacy Separators, LLC, v. Halliburton Energy Services, Inc., Halliburton*

*Global DIT, Inc., Global Oilfield Services, LLC, Oilfield Products Supply Corporation, and J. Wayne Richards* (the “Lawsuit”). The suit was filed by Legacy Separators, LLC (“Legacy”).

2. The Lawsuit relates to a pending federal suit that was first filed by Plaintiff in the Western District of Oklahoma, then subsequently transferred to the Southern District of Texas, Civil Action No. 4-14-cv-02081 (the “Related Suit”), in which Plaintiff alleged patent infringement and misappropriation of trade secrets related to gas separators utilized by Halliburton. Defendant Halliburton has brought counterclaims in the Lawsuit and the Related Suit for declaratory judgments of patent invalidity and non-infringement, among other claims. The patent claims are directly related to the same technology, circumstances, witnesses, discovery, and inventorship issues as the state law claims.

3. Summons in the Lawsuit, with a copy of Plaintiff’s Original Petition, was served separately upon Halliburton Energy Services, Inc., Halliburton Global DIT, Inc., and Oilfield Products Supply Corporation on October 24, 2014. Defendant J. Wayne Richards (“Richards”) was served on October 28, 2014. Defendant Richards joins Halliburton in its Notice of Removal as evidenced by the attached Consent to Removal, attached here as Exhibit B.

4. Defendants have timely filed this notice of removal pursuant to 28 U.S.C. § 1446(b).

5. The Lawsuit is an action over which this Court has original jurisdiction under the provisions of 28 U.S.C. §§ 1332 and 1338 and is one that may be removed to this Court under the provisions of 28 U.S.C. § 1454, in that it is a civil action in which a party asserts a claim for relief arising under an Act of Congress relating to patents.

6. Plaintiff Legacy was at the time the suit was filed, and still is, an Oklahoma limited liability company whose principal place of doing business is and was in Oklahoma City, Oklahoma.

7. Defendant Halliburton Energy Services Inc. was and now is a Delaware corporation whose principal place of business is and was the State of Texas.

8. Defendant Halliburton Global DIT, Inc. was and now is a Delaware corporation whose principal place of business is and was the State of Texas.

9. Defendant Global Oilfield Services, LLC was a Delaware corporation whose principal place of business was the State of Texas, and merged with and into Halliburton Energy Services, Inc. on August 30, 2013.

10. Defendant Oilfield Products Supply Corporation was a Cayman Islands corporation, but has since dissolved.

11. Defendant J. Wayne Richard was at the time the suit was filed, and still is, a resident of Texas.

12. Defendants Halliburton have asserted counterclaims for declaratory judgment of patent invalidity and non-infringement against Legacy, arising under 28 U.S.C. 1454, which statute authorizes removal to federal court based on a defendant's counterclaims for declaratory judgments of patent invalidity and/or non-infringement.

13. True and correct copies of all pleadings on file in the District Court of Harris County, Texas are attached to this Notice of Removal as Exhibit A. Plaintiff demanded a jury trial in its Complaint.

14. This Notice of Removal has been filed less than thirty (30) days after Halliburton received copies of the initial pleading setting forth a claim for relief against it. Halliburton will

promptly file a copy of this Notice of Removal this day in the District Court of Harris County, Texas, and will send written notice and complete copies of the Notice of Removal to Plaintiff's counsel of record.

**WHEREFORE**, Halliburton hereby removes all further proceedings in this action to the United States District Court for the Southern District of Texas, Houston Division, which shall assume full jurisdiction in this action as provided by law.

Dated: October 30, 2014

Respectfully submitted,

/s/ Aimee P. Fagan

Theodore Stevenson, III  
Texas State Bar No. 19196650  
[tstevenson@mckoolsmith.com](mailto:tstevenson@mckoolsmith.com)

Aimee Perilloux Fagan  
Texas State Bar No. 24010299  
[afagan@mckoolsmith.com](mailto:afagan@mckoolsmith.com)

Scott W. Hejny  
Texas State Bar No. 24038952  
[shejny@mckoolsmith.com](mailto:shejny@mckoolsmith.com)

Meredith Elkins  
Texas State Bar No. 24084584  
[melkins@mckoolsmith.com](mailto:melkins@mckoolsmith.com)

**McKool Smith, P.C.**  
300 Crescent Court Suite 1500  
Dallas, TX 75201  
Telephone: (214) 978-4000  
Telecopier: (214) 978-4044

**ATTORNEYS FOR DEFENDANTS  
HALLIBURTON ENERGY SERVICES,  
INC., HALLIBURTON GLOBAL DIT,  
INC., GLOBAL OILFIELD SERVICES,  
LLC, OILFIELD PRODUCTS SUPPLY  
CORPORATION, AND J. WAYNE  
RICHARDS**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document has been served on all counsel of record on October 30, 2014.

/s/ Aimee P. Fagan

Aimee P. Fagan